

In re: PATENT APPLICATION of:

Inventor(s): NORIO FUKUDA, et al.

Group Art Unit 1742

Examiner: John P. Sheehan

Appln. No.: 09 909,396

Atty. Dkt. 277008

51270

Series Code ↑

Serial No. ↑

C-M

Client Ref

Filed: July 19, 2001

Title: MAGNETOSTRICTION CONTROL ALLOY SHEET, A PART OF A BRAUN TUBE, AND A MANUFACTURING METHOD FOR A MAGNETOSTRICTION CONTROL ALLOY SHEET

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RCE  
EDO NOT USE FOR PROVISIONAL,  
DIVISIONAL, CIP OR DESIGN  
APPLICATIONS, OR REEXAMINATION OF  
PATENTS

Mail Stop RCE

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Date: February 10, 2004

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

**PREREQUISITES**This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action must be enclosed or previously filed.**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

**Please consider the following before the next Official Action:**

1. Please ☐ enter ☐ do not enter the Amendment filed
2. ☒ The enclosed new Preliminary Amendment
3. ☐ Consider the arguments in the appeal brief filed \_\_\_ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
 

☐ IDS Letter  
☐ PTO-1449

☐ Cited Appln  
☐ Cited Documents

☐ Foreign Search Report/OA  
☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of \_\_\_ months (3 mos. Max) for which charge the required \$130 fee (fee code 1808) to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of \_\_\_ to cover the date  
 this Request is filed. **PLEASE CHARGE** the requisite fee to our Deposit  
 Account (see below)
 

(1 mo)	\$110/\$55
(2 mos)	\$420/\$210 + 950
(3 mos)	\$950/\$475
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$770 (lg. ent.) ☐ \$385 (sm. ent.) plus any  
 deficiency and any other fee due now or later to our Deposit  
 Account No. 03-3975 under Order No. 51270 / 277008

**NOTE: Rule 17(e) filing fee Cannot be deferred!**  
**NO CLAIMS FEE REQUIRED** unless you are  
 adding claims by box 2 Amendment in which case  
 cover this with PAT-120.

02/17/2004 DTESSEH1 00000100 09909396

C# M#

01 FC:1801 770.00 OP

Pillsbury Winthrop LLP  
Intellectual Property Group725 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017-5406

By Atty:

Roger R. Wise

Reg. No. 31204

Sig:

Fax: (213) 629-1033  
Tel: (213) 488-7584

(213) 488-7100

Atty/Sec: RRW/ah

**NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)**

Inventor(s): NORIO FUKUDA, et al.  
 Appl. No.: 09 | 909,396  
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Group Art Unit 1742  
 Examiner: John P. Sheehan  
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Appl. Title: MAGNETOSTRICTION CONTROL  
 ALLOY SHEET, A PART OF A BRAUN  
 TUBE, AND A MANUFACTURING  
 METHOD FOR A  
 MAGNETOSTRICTION CONTROL  
 ALLOY SHEET

Sir:

**REPLY/AMENDMENT/LETTER**

Date: February 10, 2004

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

1. Small Entity claim A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously For B & C See <u>Required Separate Paper</u> (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		10	**minus 20	0	x \$18/\$9 =	+ \$0	1202/2202
3. Independent Claims		8	***minus 5	3	x \$86/\$43 =	+ \$258	1201/2201
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add					+ \$290/\$145 =	+ \$0	1203/2203
5. Original due Date: February 13, 2004		<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =		+ \$0		1251/2251
		(2 mos)	\$420/\$210 =				1252/2252
		(3 mos)	\$950/\$475 =				1253/2253
		(4 mos)	\$1,480/\$740 =				1254/2254
		(5 mos)	\$2,010/\$1,005 =				1255/2255
7. Enter any previous extension fee paid since above original due date and subtract					- \$0		
8. Extension Fee					+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....					+ \$110/\$55	+ \$0	1814/2814
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add					+ \$180	+ \$0	1806
or if Rule 97(d) Request ..... add					+ \$180		1806
11. After-Final Request Fee per rules 129(a) and 17(r) .....					+ \$770/385	+ \$0	1809/2809
12. No. of additional inventions for examination per Rule 129(b).....					x \$770/385 ea	+ \$0	1810/2810
13. Request for Continued Examination (RCE) .....					+ \$770/385	+ \$770	1801/2801
14. Petition fee for .....					+ \$0		
15. TOTAL FEE =						\$1028	
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".							PLEASE CHARGE OUR DEP. ACCT
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.							
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.							

Our Deposit Account No. 03-3975)  
 (Our Order No. 51270 | 277008

C# | M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
 Intellectual Property Group  
 725 South Figueroa Street, Suite 2800  
 Los Angeles, CA 90017-5406  
 Tel: (213) 488-7100

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments